

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/664,991

Customer No. 23379

Applicant: Bjeldanes et al.

Confirmation No. 4613

Filed: Sep 16, 2003

Group Art Unit: 1614

Docket No. B03-074-1

Examiner: Betton, Timothy E

Title: *3,3'-Diindolylmethane Antiandrogenic Compositions*

CERTIFICATE OF TRANSMISSION

I hereby certify that this corr is being transmitted by facsimile to the Comm for Patents 571-273-8300 on August 1, 2007.

Signed

Richard Aron Oman

PROPOSED AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Thank you for the telephone conference today discussing the pending Office Action dated Mar 08, 2007. As previously confirmed with SPE Marschel, the pending Action contains errors, does not address all the claims under examination (claims 1-19), and will be voided. Furthermore, the primarily relied upon reference (Firestone et al., US Pat No. 6,001,868) was previously disqualified as prior art under 35 USC 103(c) pursuant to our response filed Jan 02, 2007.

In an effort to expedite allowance of this application, which has been pending for 4 year now, we offer to further limit the scope and number of claims. For example, much of the 35USC112 discussion of the pending Action relates to the “determined to be in need thereof” language. To proactively address this, we are willing to amend claim 1 to incorporate the limitations of claims 2-4, and further recite a particular androgen-dependent pathology (prostate hyperplasia), as provided in proposed claim 23:

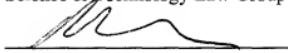
23. A method of providing an antiandrogen to a human host with prostate hyperplasia, the method comprising the steps of:

determining that the host has prostate hyperplasia;

contacting the host with an effective amount of an antiandrogenic, optionally substituted 3,3'-diindolylmethane (DIM); and
detecting a resultant reduction in the prostate hyperplasia.

Furthermore, if the Examiner perceives any additional objections to dependent claims 5-6, we are willing to amend or cancel them as needed to permit allowance. Furthermore, if the Examiner perceives any additional objections to dependent claims 7-19, or if the Examiner perceives any additional objections to the scope of “optionally substituted 3,3'-diindolylmethane (DIM)”, we are willing cancel or amend as needed, i.e. to further narrow the scope of proposed claim 23 to wherein the optionally substituted 3,3'-diindolylmethane is 3,3'-diindolylmethane – leaving only a single pending, allowable claim.

Respectfully submitted,
Science & Technology Law Group


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